



Department of Justice

U.S. Attorney's Office
Southern District of Texas

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Missouri City Man Pays Price for Illegally Possessing Bald Eagle

CORPUS CHRISTI, Texas - Sam Mathew, 53, of Missouri City, has been ordered to pay the maximum fine allowed by law for illegally possessing a bald eagle, United States Attorney Kenneth Magidson announced today.

Mathew was indicted in May 2012 for one count of violating The Migratory Bird Treaty Act (MBTA). He was later convicted by a Victoria federal jury in on Dec. 18, 2012, following two days of trial and approximately an hour of deliberations.

Today, U.S. Magistrate Judge Brian L. Owsley, who presided over the trial, ordered Mathew to pay a \$15,000 fine, the maximum allowed by law, and to serve three years of probation, during which time he must complete 150 hours of community service and anger management classes.

During trial, the government presented evidence and testimony that indicated Mathew intended to catch a juvenile bald eagle for the purpose of training it in falconry. Evidence indicated there was an active bald eagle nest located on Mathew's property and he had already researched how to capture it.

Mathew testified in his defense and claimed the bird was out of its nest and on a tree limb and had instructed two ranch hands to remove it. However, testimony indicated the bird was actually still in its nest when they were about to capture it. The eagle apparently got scared and fell out of the tree at that time and Mathew and one of the ranch hands caught it. The MBTA does allow the possession of nongame birds, but only if they are injured, sick or orphaned and if they are immediately transported to be rehabilitated.

U.S. Fish and Wildlife Service (FWS) officials learned of the eagle and that the nest housing it had apparently been disturbed and went to the residence. Upon arrival, they noticed there were fresh tire tracks around the tree and several broken branches as well as a set of tree climbing gear with ropes.

Mathew claimed he thought the bird was injured and was rescuing it to take it to a rehabilitator. The

jury disagreed and found him guilty as charged.

The MBTA provides protection for migratory birds. The MBTA prohibits to pursue, hunt, take, capture or kill, attempt to take, capture or kill, possess, offer for sale, sell, offer to purchase, purchase, deliver for shipment, ship, cause to be shipped, deliver for transportation, transport, cause to be transported, carry, or cause to be carried by any means whatever, receive for shipment, transportation or carriage, or export, at any time, or in any manner, any migratory bird, included in the terms of this Convention . . . for the protection of migratory birds . . . or any par, nest, or egg of any such bird. The bald eagle is a non-game migratory bird as defined in Title 50, Code of Federal Regulations, Part 10.13.

The case was investigated by agents from the U.S. Fish and Wildlife Service and Texas Parks and Wildlife Department. The case was prosecuted by Assistant United States Attorneys Hugo R. Martinez and Patti Hubert Booth.